

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

## MEMORANDUM AND ORDER

The parties came before the undersigned on January 8, 2008, for a telephone conference concerning a discovery dispute. For the reasons discussed more fully during the telephone conference, the parties are **DIRECTED** as follows:

1. With respect to Paragraph 2 of Exhibit A to Plaintiff's Notice of Rule 30(b)(6) Deposition, defense counsel asserted during the hearing that the three warranties (the "Warranties") covering the engines had been disclosed to Plaintiff and that the Warranties were the only warranties issued on the engines at issue in this matter. During the Rule 30(b)(6) deposition, Plaintiff shall be permitted to question the designee regarding the Warranties.
2. With respect to Paragraph 3 of Exhibit A to Plaintiff's Notice of Rule 30(b)(6) Deposition, the Defendant shall provide the Plaintiff with a list, by "stamp" number, of all of the individuals who have worked on the engines in question from the year 2000 forward. Additionally, the Rule 30(b)(6) designee shall be prepared to discuss at the deposition what work was performed by each of the listed individuals, but such information need not be included on the list to be provided to Plaintiff.
3. With respect to Paragraph 6 of Exhibit A to Plaintiff's Notice of Rule 30(b)(6) Deposition, the Rule 30(b)(6) designee shall be prepared to provide a step-by-step explanation of the inspection process on the Upper and Lower Duplex Bearings of each engine, but shall not be required to perform a step-by-step demonstration of the

process.

4. The Court reiterates that the parties are expected to fully comply with the meet and confer requirement of the Scheduling Order. [Doc. 14 at ¶ 4(j)(1)] Any future failure to satisfy that requirement by either party shall be subject to the appropriate sanctions and penalties. Additionally, should there be any further failure by either party to properly serve documents or filings on the opposing party, such behavior shall also be subject to the appropriate sanctions and penalties.

**IT IS SO ORDERED.**

ENTER:

s/ C. Clifford Shirley, Jr.  
United States Magistrate Judge